

## NOTICES OF RULEMAKING DOCKET OPENINGS

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening whenever an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

### NOTICE OF RULEMAKING DOCKET OPENING

#### STATE BOARD OF EDUCATION

1. **Title and its heading:** 7, Education  
**Chapter and its heading:** 2, State Board of Education  
**Articles and their headings:** 4, Special Education  
**Section numbers:** R7-2-408
2. **The subject matter of the proposed rules:**  
The State Board of Education will propose language for a new rule, R7-2-408, pursuant to A.R.S. § 15-881, prescribing rules for use by school districts in determining the eligibility of handicapped pupils for an extended school year program.
3. **A citation to all published notices relating to the proceeding:**  
None published.
4. **The name and address of agency personnel with whom a person may communicate regarding the rule:**  
Name: Corinne L. Velasquez  
Address: State Board of Education  
1535 W. Jefferson, Room 418  
Phoenix, Arizona 85007  
Telephone: (602) 542-5057  
Fax: (602) 542-3046
5. **The time during which written submission may be made and the time and place where oral comments may be made:**  
To be announced with the Notice of Proposed Rulemaking.
6. **A timetable for agency decisions or other action in the proceeding:**  
To be announced with the Notice of Proposed Rulemaking.

### NOTICE OF RULEMAKING DOCKET OPENING

#### STATE LAND DEPARTMENT

1. **Title and its heading:** 12, Natural Resources  
**Chapter and its heading:** 5, Land Department  
**Articles and their headings:** 5, Leases  
**Section numbers:** R12-5-505. Application for Land Included Under Existing Lease or Permit  
R12-5-506. Two or More Applications for Lease or Permit  
R12-5-516. Time for Filing Conflicting Applications  
R12-5-534. Rules of Procedure in Conflicts
2. **The subject matter of the proposed rules:**  
The Department proposes to amend its rules addressing the procedure for processing conflicting applications for the lease or use of Arizona State Trust lands.  
The proposed rule amendments enable the State Land Commissioner to clarify the procedure in considering conflicting applications, to define equities to be considered to require applicants to submit statements of equities and to require applicants to indicate, whether or not the applicant is offering additional rental as part of their equity statement, and if so, the amount.  
In addition, the proposed rule amendments will establish deadlines for filing conflicting applications and will indicate time periods outside the established deadlines in which the applications would be rejected.
3. **A citation to all published notices relating to the proceeding:**  
None published.

*Arizona Administrative Register*  
**Notices of Rulemaking Docket Openings**

**4. The name and address of agency personnel with whom a person may communicate regarding the rule:**

Name: Richard B. Oxford, Director, Operations Division  
Address: State Land Department  
1616 W. Adams  
Phoenix, Arizona 85007  
Telephone: (602) 542-4602  
Fax: (602) 542-5223

*or*

Name: Mervyn Mason, Manager, Administrative Procedures Unit  
Address: State Land Department  
1616 W. Adams  
Phoenix, Arizona 85007  
Telephone: (602) 542-2504  
Fax: (602) 542-5223

**5. The time during which written submission may be made and the time and place where oral comments may be made:**

Written comments: 8 a.m. to 5 p.m., Monday through Friday  
Oral comments: 8 a.m. to 4 p.m., Monday through Friday  
State Land Department  
1616 W. Adams  
Phoenix, Arizona 85007

**6. A timetable for agency decisions or other action in the proceeding:**

The following outlines a tentative timetable for the rule development schedule:

June, 1998	Notice of Proposed Rulemaking submitted to the Secretary of State
August, 1998	Submission of final rule to the Governor's Regulatory Review Council (GRRC)
September, 1998	GRRC consideration of rule

**NOTICE OF RULEMAKING DOCKET OPENING**

**STATE LAND DEPARTMENT**

1. **Title and its heading:** 12, Natural Resources  
**Chapter and its heading:** 5, Land Department  
**Articles and their headings:** 8, Rights-of-way  
**Section numbers:** R12-5-801. Rights-of-way  
R12-5-802. Reservoir, Dam and Other Sites  
R12-5-803. Application of this Article to Public Trust Land

**2. The subject matter of the proposed rules:**

The State Land Department manages 9.4 million acres of land and resources held in trust to produce the greatest financial return for 15 beneficiaries. Included in the management of the trust lands is the continuing need for current and new rights-of-way to provide access, roadways, power and utility corridors on, over, and across state trust lands. The Department currently administers over 5,800 right-of-way contracts involving state trust lands and expects this number to increase as the state develops economically. The Department's rules addressing the application, processing and granting rights-of-way on State land are antiquated, redundant of statute, vague, misleading, and poorly written. The Department proposes to amend its rights-of-way to update, clarify, and streamline the process of applying for and the granting of rights-of-way involving state land to assist the general public and commercial interests in doing business with the Department.

**3. A citation to all published notices relating to the proceeding:**

None.

**4. The name and address of agency personnel with whom a person may communicate regarding the rule:**

Name: Richard B. Oxford, Director, Operations Division  
Address: State Land Department  
1616 W. Adams  
Phoenix, Arizona 85007  
Telephone: (602) 542-4602

*Arizona Administrative Register*  
**Notices of Rulemaking Docket Openings**

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Fax: (602) 542-5223

or

Name: Sheila McCafferty, Manager, Rights-of-way Section

Address: State Land Department  
1616 W. Adams  
Phoenix, Arizona 85007

Telephone: (602) 542-4098

Fax: (602) 542-2590

**5. The time during which written submission may be made and the time and place where oral comments may be made:**

Written comments: 8 a.m. to 5 p.m., Monday through Friday

Oral comments: 8 a.m. to 4 p.m., Monday through Friday  
State Land Department  
1616 W. Adams  
Phoenix, Arizona 85007

**6. A timetable for agency decisions or other action in the proceeding:**

Unknown at this time.

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF ENVIRONMENTAL QUALITY**

**1. Title and its heading:** 18, Environmental Quality

**Chapter and its heading:** 2, Department of Environmental Quality - Air Pollution Control

**Articles and their headings:** 10, Motor Vehicles, Inspection and Maintenance

**Section numbers:** R18-2-1003; R18-2-1006; R18-2-1010; R18-2-1019

**2. The subject matter of the proposed rules:**

The Department of Environmental Quality is proposing a rule to implement the statutory requirement for a new, snap-acceleration diesel emissions test for certain diesel-powered vehicles in Maricopa county.

**3. A citation to all published notices relating to the proceeding:**

3 A.A.R. 3367, November 28, 1997

**4. The name and address of agency personnel with whom a person may communicate regarding the rule:**

Name: Michelle Ringsmuth

Address: 3003 N. Central Ave.  
Phoenix, AZ 85012

Telephone: (602) 207-2372

Fax: (602) 207-2366

**5. The time during which written submission may be made and the time and place where oral comments may be made:**

As specified in the Notice of Proposed Rulemaking found in this issue of the *Arizona Administrative Register*.

**6. A timetable for agency decisions or other action in the proceeding:**

As specified in the Notice of Proposed Rulemaking found in this issue of the *Arizona Administrative Register*.